

DOCKET NO.: ISIS-5316



03-16-05

1 DW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Brenda F. Baker, et al.

Confirmation No.: 6115

Application No.: 10/701,257

Group Art Unit: 1635

Filing Date: November 4, 2003

Examiner: Not Yet Assigned

**For: NON-PHOSPHOROUS-LINKED OLIGOMERIC COMPOUNDS AND THEIR
USE IN GENE MODULATION**

EXPRESS MAIL LABEL NO: EV325727526US

DATE OF DEPOSIT: March 14, 2005

EV325727526US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

- ☐ Certification in Accordance with § 1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers **278 and 279** listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of reference numbers **280 and 281** on the attached Form PTO 1449 are not required to be submitted pursuant to waiver of 37 CFR § 1.98(a)(2)(i).

- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

- ☐ The relevance of those listed references which are not in the English language is as follows:

DOCKET NO.: ISIS-5316

- 3 -

PATENT

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: *March 11, 2005*

Jane E. Inglese
Jane E. Inglese
Registration No. 48,444

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

© 2005 WW



| | | | |
|---|-----|---|-------------------------------|
| Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office | | Docket No. ISIS-5316 | Application No. 10/701,257 |
| | | Applicant Brenda F. Baker, et al. | |
| | | Filing Date November 4, 2003 | Group 1635 |
| | | Confirmation No. 6115 | |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | |
| * | 278 | Rajwanshi, V.K., et al., "LNA stereoisomers: <i>xylo</i> -LNA (β -D- <i>xylo</i> configured locked nucleic acid) and α -L-ribo configured locked nucleic acid)," <i>Chem. Commun.</i> , 1999 , 1395-1396 | |
| * | 279 | Steffens, R., et al., "Synthesis and thermodynamic and biophysical properties of tricycle-DNA," <i>Am. Chem. Soc.</i> , 1999 , 121(14), 3249-3255 | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| EXAMINER | | DATE CONSIDERED | |

* Cited on PCT Written Opinion dated January 28, 2005 (PCT/US03/35072); PCT International Search Report dated February 16, 2005 (PCT/US03/35141); PCT International Search Report dated February 18, 2005 (PCT/US03/35064).

| | | |
|---|--------------------------------------|-------------------------------|
| Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office | Docket No. ISIS-5316 | Application No. 10/701,257 |
| | Applicant Brenda F. Baker, et al. | |
| | Filing Date November 4, 2003 | Group 1635 |
| | Confirmation No. 6115 | |

U. S. PATENT DOCUMENTS

| Examiner Initial | | Document No. | Date | Name | Class | Subclass |
|------------------|-----|-----------------|----------|-----------------|-------|----------|
| * | 280 | 6,436,640 B1 | 08/20/02 | Simmons, et al. | 435 | 6 |
| * | 281 | 2002/0068708 A1 | 06/06/02 | Wengel, et al. | 514 | 44 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initial | | Document No. | Date | Country | Translation | |
|------------------|--|--------------|------|---------|-------------|----|
| | | | | | YES | NO |
| | | | | | | |
| | | | | | | |

| | |
|-----------------|------------------------|
| EXAMINER | DATE CONSIDERED |
|-----------------|------------------------|

* Cited on PCT Written Opinion dated January 28, 2005 (PCT/US03/35072); PCT International Search Report dated February 16, 2005 (PCT/US03/35141); PCT International Search Report dated February 18, 2005 (PCT/US03/35064).